NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

State Pollutant Discharge Elimination System (SPDES) DISCHARGE PERMIT

Industrial Code:	**4952**	SPDES Number:	**NY0022543**
Discharge Class (CL):	**05**	DEC Number:	**9-1444-00005/00001**
Toxic Class (TX):	**N**	Effective Date (EDP):	**12/01/2018**
Major Drainage Basin:	**01**	Expiration Date (ExDP):	**11/30/2023**
Sub Drainage Basin:	**04**	Modification Dates: (EDPM)	
Water Index Number:	**E-20**		
Compact Area:	**IJC**		

This SPDES permit is issued in compliance with Title 8 of Article 17 of the Environmental Conservation Law of New York State and in compliance with the Clean Water Act, as amended, (33 U.S.C. §1251 et.seq.)(hereinafter referred to as "the Act").

PERMITTEE NAME AND ADDRESS					
Name:	**Erie County**	Attention:	**Joseph Fiegl** **Deputy Commissioner, DSM**		
Street:	**95 Franklin Street – Room 1034**				
City:	**Buffalo**	State:	**NY**	Zip Code:	14202

is authorized to discharge from the facility described below:

FACILITY NAME AND ADDRESS													
Name:	**Erie County Sewer District #2 - Big Sister Creek Water Resource Recovery Facility**												
Location (C,T,V):	**Evans (T)**							County:	**Erie**				
Facility Address:	**8443 Lakeshore Road**												
City:	**Angola**			State:				**NY**	Zip Code:	**14006**			
From Outfall No.:	**001**	at Latitude:	**42**	°	**39**	′	**23.71**	″	& Longitude:	**79**	°	**03**	′	**29.73**	″
into receiving waters known as:	**Big Sister Creek**								Class:	**B(T)**					

and (list other Outfalls, Receiving Waters & Water Classifications)

Outfall	Name	Latitude / Longitude	Receiving Water
002	**Overflow Retention Facility**	**42°39'23.61" / -79°3'29.99"**	**Big Sister Creek B(T)**
003	**Sum (001 + 002)**	**NA**	**Big Sister Creek B(T)**

in accordance with: effluent limitations; monitoring and reporting requirements; other provisions and conditions set forth in this permit; and 6 NYCRR Part 750-1and 750-2.

DISCHARGE MONITORING REPORT (DMR) MAILING ADDRESS					
Mailing Name:	**Erie County Sewer District #2 c/o Southtowns WRRF**				
Street:	**S-3690 Lakeshore Road**				
City:	**Buffalo**	State:	**NY**	Zip Code:	**14219**
Responsible Official or Agent:	**Glenn H. Absolom, Jr.,** **Chief Treatment Plant Supervisor**		Phone:	**(716) 823-8188**	

This permit and the authorization to discharge shall expire on midnight of the expiration date shown above and the permittee shall not discharge after the expiration date unless this permit has been renewed, or extended pursuant to law. To be authorized to discharge beyond the expiration date, the permittee shall apply for permit renewal not less than 180 days prior to the expiration date shown above.

DISTRIBUTION:

CO BWP - Permit Coordinator
RWE
RPA
USEPA Region 2
NYSEFC
NYSDOH District Office

Deputy Chief Permit Administrator: Kent P. Sanders

Address: Division of Environmental Permits
625 Broadway, 4th Floor
Albany, NY 12233-1750

Signature: Kent P. Sanders | Date: 10/19/2018

OVERFLOW RETENTION FACILITIES (ORFs)

Erie County is responsible to provide adequate capacity needed to convey and treat existing peaks flows to meet all SPDES permit effluent limitations, without recurring sanitary sewer overflows (SSOs) or wet weather bypasses at the **Big Sister Creek WRRF**. In accordance with 6 NYCRR Part 750-2.8(b)(2) and 40 CFR 122.41, bypasses of the collection and treatment system without treatment are prohibited except when (1) the bypass is necessary and unavoidable to prevent loss of life, personal injury, public health hazard, environmental degradation, or severe property damage and (2) there is no feasible alternative to the bypass and (3) the permittee complies with the notice requirements in 6 NYCRR Part 750-2.7. Pursuant to ECL 17-0505, ORF outfalls are required to be listed in permit. An increase in ORF usage [frequency, volume], where peak wet weather flow is diverted around secondary treatment units, as a long term wet weather management approach to a POTW serving separate sanitary sewers will not be allowed. Rather it is anticipated that ORF usage will be reduced over time by the POTW/Sewer District participating in aggressive infiltration and inflow removal activities as shown in a CMOM Program [or similar] and/or a POTW upgrade.

Pursuant to ECL 17-0505, ORF outfalls are required to be listed in a valid SPDES permit. The following ORF outfall constitutes an approved anticipated bypass, provided that the permittee maintains compliance with the effluent limits, special conditions, Best Management Practices, Compliance Schedule, and CMOM Plan. The discharge from the listed ORF is only allowed after the plant's full capacity has been utilized and maximized, and the capacity of the ORF has been reached. The Department reserves the right to modify these requirements upon promulgation of USEPA/NYSDEC policy changes.

The following onsite ORFs have been identified which discharge from **Erie County Sewer District #2** POTW:

Outfall No.	Description	Latitude/Longitude	Receiving Stream/Class
002	Effluent from ORF	42° 39' 23.61" N 79° 3' 29.99" W	Big Sister Creek, Class B(T).

PERMIT LIMITS, LEVELS AND MONITORING DEFINITIONS

OUTFALL	WASTEWATER TYPE	RECEIVING WATER	EFFECTIVE	EXPIRING
	This cell describes the type of wastewater authorized for discharge. Examples include process or sanitary wastewater, storm water, non-contact cooling water.	This cell lists classified waters of the state to which the listed outfall discharges.	The date this page starts in effect. (e.g. EDP or EDPM)	The date this page is no longer in effect. (e.g. ExDP)

PARAMETER	MINIMUM	MAXIMUM	UNITS	SAMPLE FREQ.	SAMPLE TYPE
e.g. pH, TRC, Temperature, D.O.	The minimum level that must be maintained at all instants in time.	The maximum level that may not be exceeded at any instant in time.	SU, °F, mg/l, etc.	See below	See below

PARAMETER	EFFLUENT LIMIT or CALCULATED LEVEL	COMPLIANCE LEVEL / ML	ACTION LEVEL	UNITS	SAMPLE FREQUENCY	SAMPLE TYPE
	Limit types are defined below in Note 1. The effluent limit is developed based on the more stringent of technology-based limits, required under the Clean Water Act, or New York State water quality standards. The limit has been derived based on existing assumptions and rules. These assumptions include receiving water hardness, pH and temperature; rates of this and other discharges to the receiving stream; etc. If assumptions or rules change the limit may, after due process and modification of this permit, change.	For the purposes of compliance assessment, the permittee shall use the approved EPA analytical method with the lowest possible detection limit as promulgated under 40CFR Part 136 for the determination of the concentrations of parameters present in the sample unless otherwise specified. If a sample result is below the detection limit of the most sensitive method, compliance with the permit limit for that parameter was achieved. Monitoring results that are lower than this level must be reported, but shall not be used to determine compliance with the calculated limit. This Minimum Level (ML) can be neither lowered nor raised without a modification of this permit.	Action Levels are monitoring requirements, as defined below in Note 2, which trigger additional monitoring and permit review when exceeded.	This can include units of flow, pH, mass, temperature, or concentration. Examples include µg/l, lbs/d, etc.	Examples include Daily, 3/week, weekly, 2/month, monthly, quarterly, 2/yr and yearly. All monitoring periods (quarterly, semiannual, annual, etc) are based upon the calendar year unless otherwise specified in this Permit.	Examples include grab, 24 hour composite and 3 grab samples collected over a 6 hour period.

Notes:

1. EFFLUENT LIMIT TYPES:
   a. DAILY DISCHARGE: The discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for the purposes of sampling. For pollutants expressed in units of mass, the 'daily discharge' is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the 'daily discharge' is calculated as the average measurement of the pollutant over the day.
   b. DAILY MAX: The highest allowable daily discharge. DAILY MIN: The lowest allowable daily discharge.
   c. MONTHLY AVG: The highest allowable average of daily discharges over a calendar month, calculated as the sum of each of the daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.
   d. 7 DAY ARITHMETIC MEAN (7-day average): The highest allowable average of daily discharges over a calendar week.
   e. 30 DAY GEOMETRIC MEAN: The highest allowable geometric mean of daily discharges over a calendar month, calculated as the antilog of: the sum of the log of each of the daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.
   f. 7 DAY GEOMETRIC MEAN: The highest allowable geometric mean of daily discharges over a calendar week.
   g. RANGE: The minimum and maximum instantaneous measurements for the reporting period must remain between the two values shown.

2. ACTION LEVELS: Routine Action Level monitoring results, if not provided for on the Discharge Monitoring Report (DMR) form, shall be appended to the DMR for the period during which the sampling was conducted. If the additional monitoring requirement is triggered as noted below, the permittee shall undertake a short-term, high-intensity monitoring program for the parameter(s). Samples identical to those required for routine monitoring purposes shall be taken on each of at least three consecutive operating and discharging days and analyzed. Results shall be expressed in terms of both concentration and mass, and shall be submitted no later than the end of the third month following the month when the additional monitoring requirement was triggered. Results may be appended to the DMR or transmitted under separate cover to the same address. If levels higher than the Action Levels are confirmed, the permit may be reopened by the Department for consideration of revised Action Levels or effluent limits. The permittee is not authorized to discharge any of the listed parameters at levels which may cause or contribute to a violation of water quality standards.

PERMIT LIMITS, LEVELS AND MONITORING

OUTFALL	LIMITATIONS APPLY:	RECEIVING WATER	EFFECTIVE	EXPIRING
001 - WRRF	All year unless otherwise noted	Big Sister Creek	12/01/2018	11/30/2023

PARAMETER	EFFLUENT LIMIT					MONITORING REQUIREMENTS				FN
								Location		
	Type	Limit	Units	Limit	Units	Sample Frequency	Sample Type	Inf.	Eff.	
Flow	Monthly Average	7.68	MGD			Continuous	Recorder		X	
pH	Range	6.5-8.5	SU			3/day	Grab		X	
Settleable Solids	Daily Maximum	0.1	ml/L			3/day	Grab		X	4
$CBOD_5$ (Jun 1 - Oct 31)	Monthly Average	10.4	mg/L	666	lbs/d	2/week	24-hr. Comp.	X	X	1
$CBOD_5$ (Jun 1 - Oct31)	7-Day Average	15.6	mg/L	999	lbs/d	2/week	24-hr. Comp.		X	4
$CBOD_5$ (Nov 1 - May 31)	Monthly Average	25	mg/L	1601	lbs/d	2/week	24-hr. Comp.	X	X	1
$CBOD_5$ (Nov 1 - May 31)	7-Day Average	40	mg/L	2562	lbs/d	2/week	24-hr. Comp.		X	4
Solids, Total Suspended (TSS)	Monthly Average	30	mg/L	1922	lbs/d	2/week	24-hr. Comp.	X	X	1
Solids, Total Suspended (TSS)	7-Day Average	45	mg/L	2882	lbs/d	2/week	24-hr. Comp.		X	4
Dissolved Oxygen	Instantaneous Min.	6.0	mg/L			2/week	Grab		X	
Nitrogen, Ammonia (as N) (Jun 1 – Oct 31)	Monthly Average	1.2	mg/L			2/week	24-hr. Comp.	X	X	
Nitrogen, Ammonia (as N) (Nov 1- May 31)	Monthly Average	1.9	mg/L			2/week	24-hr.Comp.	X	X	
Phosphorus (as P)	Monthly Average	1.0	mg/L			2/week	24-hr. Comp.	X	X	
Mercury	Daily Maximum	50	ng/L			Quarterly	Grab		X	
Effluent Disinfection Required	[X] All Year									
Chlorine, Total Residual	Daily Maximum	0.1	mg/L			3/day	Grab		X	3
Fecal Coliform	30-Day Geometric Mean	200	No./ 100 mL			2/week	Grab		X	
Fecal Coliform	7-Day Geometric Mean	400	No./ 100 mL			2/week	Grab		X	
Action Levels	Type	Action Level	Units	Action Level	Units	Sample Frequency	Sample Type	Inf	Eff	FN
Temperature	Daily Maximum	Monitor	Deg F			3/day	Grab		X	
Whole Effluent Toxicity (WET) Testing – Action Levels										
WET – Acute Invertebrate	See footnote	0.3	TUa			Quarterly	See footnote		X	2
WET – Acute Vertebrate	See footnote	0.3	TUa			Quarterly	See footnote		X	2
WET – Chronic Invertebrate	See footnote	1.0	TUa			Quarterly	See footnote		X	2
WET – Chronic Vertebrate	See footnote	1.0	TUa			Quarterly	See footnote		X	2

Footnotes on Page 5.

Outfall 001 Footnotes:

1. and effluent shall not exceed 15% and 15% of influent concentration values for $CBOD_5$ & TSS respectively.

2. Whole Effluent Toxicity (WET) Testing:

   Testing Requirements – WET testing shall consist of **Chronic only testing and reporting of acute results**. WET testing shall be performed in accordance with 40 CFR Part 136 and TOGS 1.3.2 unless prior written approval has been obtained from the Department. The test species shall be *Ceriodaphnia dubia* (water flea – invertebrate) and *Pimephales promelas* (fathead minnow – vertebrate). Receiving water collected upstream from the discharge and Outfall 002 should be used for dilution. All tests conducted should be static-renewal (two 24 hr composite samples with one renewal for Acute tests and three 24 hr composite samples with two renewals for Chronic tests). The appropriate dilution series bracketing the IWC and including one exposure group of 100% effluent should be used to generate a definitive test endpoint, otherwise an immediate rerun of the test is required. WET testing shall be coordinated with the monitoring of chemical and physical parameters limited by this permit so that the resulting analyses are also representative of the sample used for WET testing. The ratio of critical receiving water flow to discharge flow (i.e. dilution ratio) is 1:1 for acute, and 1:1 for chronic. Discharges which are disinfected using chlorine should be dechlorinated prior to WET testing or samples shall be taken immediately prior to the chlorination system.

   Monitoring Period – WET testing shall be performed during calendar years ending in **0 and 5.**

   Reporting – Toxicity Units shall be calculated and reported on the DMR as follows: TUa = (100)/(48 hr LC50) or (100)/(48 hr EC50) (note that Acute data is generated by both Acute and Chronic testing) and TUc = (100)/(NOEC) when Chronic testing has been performed or TUc = (TUa) x (10) when only Acute testing has been performed and is used to predict Chronic test results, where the 48 hr LC50 or 48 hr EC50 and NOEC are expressed in % effluent. This must be done for both species and using the Most Sensitive Endpoint (MSE) or the lowest NOEC and corresponding highest TUc. Report a TUa of 0.3 if there is no statistically significant toxicity in 100% effluent as compared to control.

   The complete test report including all corresponding results, statistical analyses, reference toxicity data, daily average flow at the time of sampling and other appropriate supporting documentation, shall be submitted within 60 days following the end of each test period to the Toxicity Testing Unit. A summary page of the test results for the invertebrate and vertebrate species indicating TUa, 48 hr LC50 or 48 hr EC50 for Acute tests and/or TUc, NOEC, IC25, and most sensitive endpoints for Chronic tests, should also be included at the beginning of the test report.

   WET Testing Action Level Exceedances – If an action level is exceeded then the Department may require the permittee to conduct additional WET testing including Acute and/or Chronic tests. Additionally, the permittee may be required to perform a Toxicity Reduction Evaluation (TRE) in accordance with Department guidance. If such additional testing or performance of a TRE is necessary, the permittee shall be notified in writing by the Regional Water Engineer. The written notification shall include the reason(s) why such testing or a TRE is required.

3. Sampling for Total Residual Chlorine is only required when chlorine is used in the treatment process.

4. WWRF influent and Outfall 001 effluent samples for this pollutant collected on days when there is a discharge from the ORF may be used for the Calculated Composite at Outfall 003. If the samples have already been collected for the week for compliance purposes for Outfall 001, additional time-based composites and/or grabs of the WWRF influent and Outfall 001 shall be collected for each day or partial day the ORF is discharging.

ADDITIONAL REQUIREMENTS

A full priority pollutant scan at Outfall 001 shall be completed in years ending in 8 and 3 and the results shall be attached to the December Discharge Monitoring Report.

PERMIT LIMITS, LEVELS AND MONITORING (continued)

OUTFALL No.	LIMITATIONS APPLY:	RECEIVING WATER	EFFECTIVE	EXPIRING
002 – ORF	During ORF discharges	Big Sister Creek	12/01/2018	11/30/2023

PARAMETER	MINIMUM	MAXIMUM	UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FOOTNOTES (FN)
pH	6.0	9.0	SU	Daily	Grab	5
Temperature		Monitor	°F	Daily	Grab	2,5

PARAMETER	COMPLIANCE LIMIT		UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FN
	7-Day Avg.	Daily Max.				
Flow	Monitor	Monitor	MGD	Continuous	Recorder/Totalizer	1
$CBOD_5$	Monitor	Monitor	mg/L	Daily	Composite	4,8
Suspended Solids, Total	Monitor	Monitor	mg/L	Daily	Composite	4,8
Settleable Solids	-	0.8	mL/L	Daily	Grab	2,5
Floatable Material	-	None	N /A	Daily	Visual	6,7
Oil & Grease	-	15	mg/L	Daily	Grab	2,5
Fecal Coliform	Monitor	400	No/100 ml	Daily	Grab	3,5
Chlorine, Total Residual	-	2.0	mg/L	Daily	Grab	2,5
Precipitation	-	Monitor	inches	Daily	On-Site Rain Gauge	9

Outfall 002 Footnotes:

1. No discharge except as caused by excess flows associated with the 2yr 6 hr Design Storm for the ORF. The design and construction of the ORF was to eliminate all bypassing of peak wastewater flows during storm events up to a 2yr 6hr storm- from the approved report - "Big Sister Creek Wastewater Treatment Plant Capacity Analysis and Expansion Study- October 1992" by N&C Engineers. All flows discharged into and from the ORF shall be continuously recorded and totalized. All flow records shall be summarized and reported on the monthly operating report. The 2yr 6hr storm equals 1.4 inches of rain [Storm Drainage Design Manual-ENCRPB, 1981] and will be applied over a 24hr. period, as precipitation is to be reported daily on the MORs. This footnote applies to discrete storm events only. The ORF must be cleaned out and its contents drained back to the WWRF influent as soon as feasible after the event subsides.
2. Daily min/max shall be calculated based on the arithmetic mean of samples taken during any calendar day.
3. No./100 ml calculated as the geometric mean of the grab samples taken during each day of overflow.
4. Representative composite samples shall be a composite of grab samples, one taken every FOUR hours during each day an event is occurring. Sampling shall begin within 1-2 hours of the start of discharge from the ORF.
5. Grab samples shall be collected a minimum of once every FOUR hours during each day an event is occurring, except Bacteria which shall be collected/tested at a rate of one per 8-hour period and Oil & Grease which shall be collected/tested at a rate of one per event. Sampling shall begin within 1-2 hours of the start of the discharge from the ORF.
6. Visual observation is required within 1-2 hours of the start of discharge, and a minimum of once every FOUR hours during each event.
7. Report the number of days during the month where at least one visual observation indicates the presence of floatable material. The number of days during the month where at least one visual observation indicates the presence of floatable material shall be summarized and reported on the monthly operating report.
8. The seven-day average shall be calculated as the average of the results for each of the discharge days over the seven-day period. For example, if the ORF discharges for three days [or any part of a day] during the period, the average of the three days would constitute the seven-day average for the purposes of compliance.
9. The permittee shall report daily and monthly total precipitation values in the monthly operating report.

SPECIAL CONDITIONS FOR OPERATION OF OVERFLOW RETENTION FACILITY

A. The permittee shall monitor the effluent from the ORF for all parameters on Page 6 of this Permit at the specified monitoring frequency and sample type. This data and the sampling information required by the "PERMIT LIMITS, LEVELS AND MONITORING" Tables on Pages 6 and 8, shall be summarized on a "Wastewater Facility Operation Report" (Form 92-15-7, or similar) and submitted to the Regional Water Engineer.

B. The facilities shall be operated in conjunction with the tributary sewer system, pump stations and the POTW Treatment Plant to maximize pollutant removal.

C. The permittee shall not divert to the retention basin unless either the peak hourly flow (11.52 MGD) or the maximum daily design flow (7.68 MGD) of the treatment process are exceeded, or as necessary for maintenance purposes subject to approval of the NYSDEC Regional Water Engineer. The preceding flow rates are the hydraulic design values for the POTW as shown in the approved reports of October 1992 by N&C- "Big Sister Creek WWTP Capacity Analysis and Expansion Study" and the subsequent February 1993 Amendment to this Study by Stearns and Wheler Engineers. The preceding flow rates shall be achieved through the WRRF unless natural conditions are such that they cannot be achieved, such as when Big Sister Creek is flooded. The ORF may be used as a wastewater storage and equalization facility (without ORF discharges) for process operational flexibility and preventative maintenance to maximize the volume of water treated by the facility.

D. The permittee shall not discharge from the ORF unless the tank volume is full and the treatment process cannot accept additional wastewater.

E. The contents of the ORF (i.e. captured wastewater) shall not be delivered to the POTW Treatment Plant at a rate which would exceed the peak daily or peak hourly flow or loading.

F. Flow shall not be delivered to the POTW Treatment Plant at a rate that will cause an upset as defined by 6 NYCRR Part 750-2, "Operating in Accordance with a SPDES Permit."

G. Wet Weather Operation Plan:

The permittee shall develop and implement a Wet Weather Operation Plan (WWOP). The WWOP shall outline the optimum operational procedures to transition from dry weather operation mode to wet weather operation mode, and back to dry weather operation mode. These procedures shall be used to optimize the treatment of the maximum volume of wet weather flows possible at the treatment plant during wet weather events, while minimizing discharges through the permitted overflow retention facility (ORF) and meeting the effluent limitations in this permit. The WWOP shall be submitted to the NYSDEC Regional Water Engineer at the address listed on Page 20 of this Permit, and to the Bureau of Water Permits, 625 Broadway, Albany NY 12233-3505, within six months of the effective date of this Permit.

H. Footnote 1 shall be complied with as much as feasible all year. However, there are several conditions where evaluating compliance with Footnote 1 will be difficult and therefore compliance will not be evaluated under the following conditions: during sequential storm events that occur prior to complete draining of the ORF from a previous storm event; and during snowfall/snowmelt events from Nov. 1 to April 30.

PERMIT LIMITS, LEVELS AND MONITORING (continued)

OUTFALL No.	LIMITATIONS APPLY:	RECEIVING WATER	EFFECTIVE	EXPIRING	FN
003 – (001 + 002)	During ORF discharges	Big Sister Creek	12/01/2018	11/30/2023	1,2

PARAMETER	COMPLIANCE LIMIT		UNITS	SAMPLE FREQUENCY	SAMPLE TYPE	FN
	7-Day Avg.	Daily Max.				
Flow	Monitor	Monitor	MGD	Continuous	Calculated (001+002)	1
$CBOD_5$	40	Monitor	mg/L	Daily	Calculated (Composite)	1,2,3
$CBOD_5$	Monitor	-	%	Daily	Calculated	1,4
Suspended Solids, Total	45	Monitor	mg/L	Daily	Calculated (Composite)	1,2,3
Suspended Solids, Total	Monitor	-	%	Daily	Calculated	1,4
Solids, Settleable	-	0.3	mL/L	Daily	Calculated (Grab)	1,3

Outfall 003 Footnotes:

1. The reported flow for Outfall 003 is the sum of Outfalls 001 and 002. The reported concentrations for Outfall 003 are the daily flow weighted average of Outfall 001 (POTW) and Outfall 002 (ORF) effluents. The limits for Outfall 003 apply only when the ORF is discharging. A flow proportioned calculation consisting of the sample results from the WRRF and the ORF effluent shall be used for compliance with the effluent limits for Outfall 003. This calculation is illustrated with Equation 1 below.

   Equation 1: Flow Weighted Average Formula

   $$Flow\ Weighted\ Average\ Effluent\ Conc. = \frac{(C_t \times F_t) + (C_{orf} \times F_{orf})}{F_t + F_{orf}}$$

   Where:
   C_t is the concentration at Outfall 001 [mg/L or mL/L]
   C_{orf} is the concentration discharged at the ORF [mg/L or mL/L]
   F_t is the flow at Outfall 001 [MGD]
   F_{orf} is the flow rate at the ORF [MGD] = (Volume of ORF Discharge/Duration of ORF Discharge)

2. For purposes of reporting the 7-day average for concentrations, loadings and percent (%) removals for $CBOD_5$ and TSS, the permittee shall use data from Outfall 001 and Outfall 002 only for days that there is a discharge from the ORF. For example, if the ORF discharges for three days [or any part of a day] during the period, the average of the three days would constitute the reported 7 –day average for the purposes of compliance.

3. Representative composite samples shall be collected in accordance with the sampling requirements at Outfall 001 and Outfall 002. Should the 2/wk composites be collected on an ORF discharge day for the WRRF influent and Outfall 001, this data may be used for the Calculated Composite. If the 2/wk composites had already been collected for the week for compliance purposes for Outfall 001, additional time-based composites of the WRRF influent and Outfall 001 shall be collected for each day or partial day the ORF is discharging.

   Outfall 002 shall be a composite of grab samples, one taken every FOUR hours for each day or partial day of discharge. Sampling shall begin within 1-2 hours of the start of discharge from the ORF.

4. For purposes of percent (%) removal calculation, the influent concentrations shall be utilized only for days of ORF discharges. A flow weighted average shall also continue to be utilized with effluent concentrations for determining compliance at Outfall 003.

MERCURY MINIMIZATION PROGRAM – High Priority POTWs

1. **General** – The permittee shall develop, implement, and maintain a Mercury Minimization Program (MMP). The MMP is required because the 50 ng/l permit limit exceeds the statewide water quality based effluent limit (WQBEL) of 0.70 nanograms/liter (ng/l) for Total Mercury. The goal of the MMP will be to reduce mercury effluent levels in pursuit of the WQBEL. Note – The mercury-related requirements in this permit conform to the mercury Multiple Discharge Variance specified in NYSDEC policy *DOW 1.3.10*.

2. **MMP Elements** – The MMP shall be documented in narrative form and shall include any necessary drawings or maps. Other related documents already prepared for the facility may be used as part of the MMP and may be incorporated by reference. As a minimum, the MMP shall include an on-going program consisting of: periodic monitoring designed to quantify and, over time, track the reduction of mercury; an acceptable control strategy for reducing mercury discharges via cost-effective measures, which may include more stringent control of tributary waste streams; and submission of periodic status reports.

   A. Monitoring – The permittee shall conduct periodic monitoring designed to quantify and, over time, track the reduction of mercury. All permit-related wastewater and stormwater mercury compliance point (outfall) monitoring shall be performed using EPA Method 1631. Use of EPA Method 1669 during sample collection is recommended. Unless otherwise specified, all samples shall be grabs. Monitoring at influent and other locations tributary to compliance points may be performed using either EPA Methods 1631 or 245.7. Monitoring of raw materials, equipment, treatment residuals, and other non-wastewater/non-stormwater substances may be performed using other methods as appropriate. Monitoring shall be coordinated so that the results can be effectively compared between internal locations and final outfalls. Minimum required monitoring is as follows:
   i. Sewage Treatment Plant Influent & Effluent, and Type II SSO Outfalls – Samples at each of these locations must be collected in accordance with the minimum frequency specified on the mercury permit limits page.
   ii. Key Locations in the Collection System and Potential Significant Mercury Sources – The minimum monitoring frequency at these locations shall be semi-annual. Monitoring of properly treated dental facility discharges is not required.
   iii. Hauled Wastes – Hauled wastes which may contain significant mercury levels must be periodically tested prior to acceptance to ensure compliance with pretreatment/local limits requirements and/or determine mercury load.
   iv. Additional monitoring must be completed as may be required elsewhere in this permit or upon Department request.

   B. Control Strategy – An acceptable control strategy is required for reducing mercury discharges via cost-effective measures, including but not limited to more stringent control of industrial users and hauled wastes. The control strategy will become enforceable under this permit and shall contain the following minimum elements:
   i. Pretreatment/Local Limits – The permittee shall evaluate and revise current requirements in pursuit of the goal.
   ii. Periodic Inspection – The permittee shall inspect users as necessary to support the MMP. Each dental facility shall be inspected at least once every five years to verify compliance with the wastewater treatment operation, maintenance, and notification elements of 6NYCRR Part 374.4. Other mercury sources shall also be inspected once every five years. Alternatively, the permittee may develop an outreach program which informs these users of their responsibilities once every five years and is supported by a subset of site inspections. Monitoring shall be performed as above.
   iii. Systems with CSO & Type II SSO Outfalls – Priority shall be given to controlling mercury sources upstream of CSOs and Type II SSOs through mercury reduction activities and/or controlled-release discharge. Effective control is necessary to avoid the need for the Department to establish mercury permit limits at these outfalls.
   iv. Equipment and Materials – Equipment and materials which may contain mercury shall be evaluated by the permittee and replaced with mercury-free alternatives where environmentally preferable.

   C. Annual Status Report – An annual status report shall be submitted to the Regional Water Engineer and to the Bureau of Water Permits summarizing: (a) all MMP monitoring results for the previous year; (b) a list of known and potential mercury sources; (c) all action undertaken pursuant to the strategy during the previous year; (d) actions planned for the upcoming year; and, I progress toward the goal. The **first annual status report is due one year** after the permit is modified to include the MMP requirement and **follow-up status reports are due annually thereafter**. A file shall be maintained containing all MMP documentation, including the dental forms required by 6NYCRR Part 374.4, which shall be available for review by NYSDEC representatives. Copies shall be provided upon request.

3. **MMP Modification** – The MMP shall be modified whenever: (a)changes at the facility or within the collection system increase the potential for mercury discharges; (b) actual discharges exceed 50 ng/L; (c) a letter from the Department identifies inadequacies in the MMP; or, (d) pursuant to a permit modification.

DISCHARGE NOTIFICATION REQUIREMENTS

(a) Except as provided in (c) and (g) of these Discharge Notification Act requirements, the permittee shall install and maintain identification signs at all outfalls to surface waters listed in this permit. Such signs shall be installed before initiation of any discharge.

(b) Subsequent modifications to or renewal of this permit does not reset or revise the deadline set forth in (a) above, unless a new deadline is set explicitly by such permit modification or renewal.

(c) The Discharge Notification Requirements described herein do not apply to outfalls from which the discharge is composed exclusively of storm water, or discharges to ground water.

(d) The sign(s) shall be conspicuous, legible and in as close proximity to the point of discharge as is reasonably possible while ensuring the maximum visibility from the surface water and shore. The signs shall be installed in such a manner to pose minimal hazard to navigation, bathing or other water related activities. If the public has access to the water from the land in the vicinity of the outfall, an identical sign shall be posted to be visible from the direction approaching the surface water.

The signs shall have **minimum** dimensions of eighteen inches by twenty four inches (18" x 24") and shall have white letters on a green background and contain the following information:

N.Y.S. PERMITTED DISCHARGE POINT

SPDES PERMIT No.: NY_____

OUTFALL No. :____

For information about this permitted discharge contact:

Permittee Name: _____

Permittee Contact: _____

Permittee Phone: ( ) - ### - ####

OR:

NYSDEC Division of Water Regional Office Address:

NYSDEC Division of Water Regional Phone: ( ) - ### -####

(e) For each discharge required to have a sign in accordance with a), the permittee shall, concurrent with the installation of the sign, provide a repository of copies of the Discharge Monitoring Reports (DMRs), as required by the **RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS** page of this permit. This repository shall be open to the public, at a minimum, during normal daytime business hours. The repository may be at the business office repository of the permittee or at an off-premises location of its choice (such location shall be the village, town, city or county clerk's office, the local library or other location as approved by the Department). In accordance with the **RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS** page of your permit, each DMR shall be maintained on record for a period of five years

(f) The permittee shall periodically inspect the outfall identification sign(s) in order to ensure they are maintained, are still visible, and contain information that is current and factually correct. Signs that are damaged or incorrect shall be replaced within 3 months of inspection.

DISCHARGE NOTIFICATION REQUIREMENTS (continued)

(g) All requirements of the Discharge Notification Act, including public repository requirements, are waived for any outfall meeting any of the following circumstances, provided Department notification is made in accordance with (h) below:

(i) such sign would be inconsistent with any other state or federal statute;

(ii) the Discharge Notification Requirements contained herein would require that such sign could only be located in an area that is damaged by ice or flooding due to a one-year storm or storms of less severity;

(iii) instances in which the outfall to the receiving water is located on private or government property which is restricted to the public through fencing, patrolling, or other control mechanisms. Property which is posted only, without additional control mechanisms, does not qualify for this provision;

(iv) instances where the outfall pipe or channel discharges to another outfall pipe or channel, before discharge to a receiving water; or

(v) instances in which the discharge from the outfall is located in the receiving water, two-hundred or more feet from the shoreline of the receiving water.

(h) If the permittee believes that any outfall which discharges wastewater from the permitted facility meets any of the waiver criteria listed in (g) above, notification (form enclosed) must be made to the Department's Bureau of Water Permits, Central Office, of such fact, and, provided there is no objection by the Department, a sign and DMR repository for the involved outfall(s) are not required. This notification must include the facility's name, address, telephone number, contact, permit number, outfall number(s), and reason why such outfall(s) is waived from the requirements of discharge notification. The Department may evaluate the applicability of a waiver at any time, and take appropriate measures to assure that the ECL and associated regulations are complied with.

CAPACITY, MANAGEMENT, OPERATION AND MAINTENANCE PLAN

1. **General Standards:** The permittee shall develop, maintain and implement a Capacity, Management, Operation and Maintenance (CMOM) program. The program should be effective at reducing wet weather flows and eliminating separate sanitary sewer overflows (SSOs) that receive less than secondary treatment as required by the Clean Water Act to ensure the protection of public health, receiving water(s) and the environment during wet weather period from a separate sanitary sewer system serving public owned treatment works (POTW). The primary performance measures for the CMOM program are:
   -Reductions in the number of backups and SSOs
   -Reduction in peak wet weather flows in the system
   -Minimization of pump station failures and overflows due to equipment malfunction

2. **Compliance Due Date**: Within **12 months of the EDP**, the permittee shall submit an approvable CMOM Program, including an implementation schedule, to the Regional Water Engineer for review and approval. The permittee shall begin implementation of the approved CMOM program within 3 months of Departmental approval. The permittee shall review, update and modify the CMOM plan annually and submit an annual report describing all actions taken in the preceding year no later than May 31st of each year. The submitted CMOM Program, once approved, shall supersede the requirements listed in this section for purposes of compliance with this Permit. Further, the CMOM Annual Report shall include information on ORF utilization, including but not limited to the number of discharge events, amounts of precipitation, volume and durations of ORF discharges. This ORF utilization summary should also discuss any short-term and long-term trends observed.

3. **Components of CMOM program:** The following components, at a minimum, shall be addressed in the development of the CMOM program. Note that while these components shall be addressed by the permittee, the permittee may address these and any additional items using organizational and implementation methods applicable to and tailored to their specific system:
   Goals
   Organization
   Legal Authority
   Measures and activities
   Design and Inspection Standards
   Overflow Emergency Response Plan
   System Evaluation and Capacity Assurance Plan *
   Monitoring and evaluation the effectiveness of the CMOM program

   * A component of this Plan shall be a Comprehensive and Continuous Infiltration and Inflow Reduction Program to ensure the integrity of the collection system and to abate overflows and bypasses. Another component of this Plan shall be the evaluation and schedule for remediation of the high flow situation/capacity issues particularly in the southwest area of the Town of Hamburg and the northwest area of the Town of Evans. Both areas are tributary to the Sweetland Road Pumping Station which also has reoccurring high flow/capacity issues. Both these areas shall be evaluated and a schedule of remediation proposed to eliminate the high wet weather flow and capacity issues in these areas and at the Sweetland Road Pumping Station.

   The permittee may include measures undertaken and completed as part of other ongoing programs, as well as Asset Management planning and principles, to satisfy any applicable CMOM program requirements. The permittee may also indicate "not applicable" for any portions of the CMOM Program that do not apply to its facility or collection system based upon its knowledge of the system. Guidance for developing and evaluating CMOM programs can be found at: http://cfpub.epa.gov/npdes/sso/toolbox.cfm?program_id=4

4. **Compliance with CMOM Requirements:** As stated in (2) above, compliance with the submitted and approved CMOM Program shall constitute compliance with the CMOM requirements in this permit. Any future CMOM requirements promulgated by either the Department or USEPA will not go into effect for this facility, and the facility shall not be required to comply with these additional requirements, until such time as the facility's permit and approved CMOM Program are modified to include the future CMOM requirements. As part of that modification, a schedule of compliance will be included to allow adequate time for the permittee to update its approved CMOM Program to address the future CMOM requirements.

PRETREATMENT PROGRAM IMPLEMENTATION REQUIREMENTS

A. DEFINITIONS. Generally, terms used in this Section shall be defined as in the General Pretreatment Regulations (40 CFR Part 403). Specifically, the following definitions apply to terms used in this Section (PRETREATMENT PROGRAM IMPLEMENTATION REQUIREMENTS):

1. Categorical Industrial User (CIU)- an industrial user of the POTW that is subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N;

2. Local Limits – General Prohibitions, specific prohibitions and specific limits as set forth in 40 CFR 403.5.

3. The Publicly Owned Treatment Works (the POTW) – as defined by 40 CFR 403.3(p) and that discharges in accordance with this permit.

4. Program Submission(s) – requests for approval or modification of the POTW Pretreatment Program submitted in accordance with 40 CFR 403.11 or 403.18 and approved by letter dated **March 1, 2000**.

5. Significant Industrial User (SIU) –

   a. CIUs;

   b. Except as provided in 40 CFR 403.3(v)(3), any other industrial user that discharges an average of 25,000 gallons per day or more of process wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater) to the POTW;

   c. Except as provided in 40 CFR 403.3(v)(3), any other industrial user that contributes a process wastestream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant;

   d. Any other industrial user that the permittee designates as having a reasonable potential for adversely affecting the POTW's operation or for violating a pretreatment standard or requirement.

6. Substances of Concern – Substances identified by the New York State Department of Environmental Conservation Industrial Chemical Survey as substances of concern.

B. IMPLEMENTATION. The permittee shall implement a POTW Pretreatment Program in accordance 40 CFR Part 403 and as set forth in the permittee's approved Program Submission(s). Modifications to this program shall be made in accordance with 40 CFR 403.18. Specific program requirements are as follows:

1. Industrial Survey. To maintain an updated inventory of industrial dischargers to the POTW the permittee shall:

   a. Identify, locate and list all industrial users who might be subject to the industrial pretreatment program from the pretreatment program submission and any other necessary, appropriate and available sources. This identification and location list will be updated, at a minimum, every five years. As part of this update the permittee shall collect a current and complete New York State Industrial Chemical Survey form (or equivalent) from each SIU.

   b. Identify the character and volume of pollutants contributed to the POTW by each industrial user identified in B.1.a above that is classified as a SIU.

   c. Identify, locate and list, from the pretreatment program submission and any other necessary, appropriate and available sources, all significant industrial users of the POTW.

2. Control Mechanisms. To provide adequate notice to and control of industrial users of the POTW the permittee shall:

   a. Inform by certified letter, hand delivery courier, overnight mail, or other means which will provide written acknowledgment of delivery, all industrial users identified in B.1.a. above of applicable pretreatment standards and requirements including the requirement to comply with the local sewer use law, regulation or ordinance and any applicable requirements under section 204(b) and 405 of the Federal Clean Water Act and Subtitles C and D of the Resource Conservation and Recovery Act.

PRETREATMENT PROGRAM IMPLEMENTATION REQUIREMENTS (continued)

b. Control through permit or similar means the contribution to the POTW by each SIU to ensure compliance with applicable pretreatment standards and requirements. Permits shall contain limitations, sampling frequency and type, reporting and self-monitoring requirements as described below, requirements that limitations and conditions be complied with by established deadlines, an expiration date not later than five years from the date of permit issuance, a statement of applicable civil and criminal penalties and the requirement to comply with Local Limits and any other requirements in accordance with 40 CFR 403.8(f)(1).

3. Monitoring and Inspection. To provide adequate, ongoing characterization of non-domestic users of the POTW, the permittee shall:

a. Receive and analyze self-monitoring reports and other notices. The permittee shall require all SIUs to submit self-monitoring reports at least every six months unless the permittee collects all such information required for the report, including flow data.

b. The permittee shall adequately inspect each SIU at a minimum frequency of once per year.

c. The permittee shall collect and analyze samples from each SIU for all priority pollutants that can reasonably be expected to be detectable at levels greater than the levels found in domestic sewage at a minimum frequency of once per year.

d. Require, through permits, each SIU to collect at least one 24 hour, flow proportioned composite (where feasible) effluent sample every six months and analyze each of those samples for all priority pollutants that can reasonably be expected to be detectable in that discharge at levels greater than the levels found in domestic sewage. The permittee may perform the aforementioned monitoring in lieu of the SIU except that the permittee must also perform the compliance monitoring described in 3.c.

4. Enforcement. To assure adequate, equitable enforcement of the industrial pretreatment program the permittee shall:

a. Investigate instances of noncompliance with pretreatment standards and requirements, as indicated in self-monitoring reports and notices or indicated by analysis, inspection and surveillance activities. Sample taking and analysis and the collection of other information shall be performed with sufficient care to produce evidence admissible in enforcement proceedings or in judicial actions. Enforcement activities shall be conducted in accordance with the permittee's Enforcement Response Plan developed and approved in accordance with 40 CFR Part 403.

b. Enforce compliance with all national pretreatment standards and requirements in 40 CFR Parts 406 – 471.

c. Provide public notification of significant non-compliance as required by 40 CFR 403.8(f)(2)(viii).

d. Pursuant to 40 CFR 403.5I, when either the Department or the USEPA determines any source contributes pollutants to the POTW in violation of Pretreatment Standards or Requirements the Department or the USEPA shall notify the permittee. Failure by the permittee to commence an appropriate investigation and subsequent enforcement action within 30 days of this notification may result in appropriate enforcement action against the source and permittee.

5. Record keeping. The permittee shall maintain and update, as necessary, records identifying the nature, character, and volume of pollutants contributed by SIUs. Records shall be maintained in accordance with 6 NYCRR Part 750-2.5I.

6. Staffing. The permittee shall maintain minimum staffing positions committed to implementation of the Industrial Pretreatment Program in accordance with the approved pretreatment program.

C. SLUDGE DISPOSAL PLAN. The permittee shall notify NYSDEC and USEPA as long as USEPA remains the approval authority, 60 days prior to any major proposed change in the sludge disposal plan. NYSDEC may require additional pretreatment measures or controls to prevent or abate an interference incident relating to sludge use or disposal.

D. REPORTING. The permittee shall provide to the offices listed on the Monitoring, Reporting and Recording page of this permit and to the Chief-Water Compliance Branch; USEPA Region II; 290 Broadway; New York, NY 10007; a periodic report that briefly describes the permittee's program activities over the previous year. This report shall be submitted to the above noted offices within 60 days of the end of the reporting period. **The reporting period shall be annual with reporting period(s) ending on July 31st.**

PRETREATMENT PROGRAM IMPLEMENTATION REQUIREMENTS (continued)

The periodic report shall include:

1. Industrial Survey. Updated industrial survey information in accordance with 40 CFR 403.12(i)(1) (including any NYS Industrial Chemical Survey forms updated during the reporting period).

2. Implementation Status. Status of Program Implementation, to include:

   a. Any interference upset or permit violations experienced at the POTW directly attributable to industrial users.

   b. Listing of significant industrial users issued permits.

   c. Listing of significant industrial users inspected and/or monitored during the previous reporting period and summary of results.

   d. Listing of significant industrial users notified of promulgated pretreatment standards or applicable local standards who are on compliance schedules. The listing should include for each facility the final date of compliance.

   e. Summary of POTW monitoring results not already submitted on Discharge Monitoring Reports and toxic loadings from SIU's organized by parameter.

   f. A summary of additions or deletions to the list of SIUs, with a brief explanation for each deletion.

3. Enforcement Status. Status of enforcement activities to include:

   a. Listing of significant industrial users in Significant Non-Compliance (as defined by 40 CFR 403.8(f)(2)(viii) with federal or local pretreatment standards at end of the reporting period.

   b. Summary of enforcement activities taken against non-complying significant industrial users. The permittee shall provide a copy of the public notice of significant violators as specified in 40 CFR Part 403.8(f)(2)(viii).

SCHEDULE OF SUBMITTALS

a) The permittee shall submit the following information to the Regional Water Engineer at the address listed on the Recording, Reporting and Monitoring page of this Permit, and to the Bureau of Water Permits, 625 Broadway, Albany NY 12233-3505:

Outfall(s)	Required Action	Due Date
001, 002, & 003	1. CMOM PROGRAM: Submit an approvable plan for continuous ongoing sewer system assessment, flow monitoring, correction, and maintenance, including an implementation schedule. This submittal is described on Page 12 of this permit. The permittee shall submit a progress report **by 06/01/2019.**	12/01/2019
001, 002, & 003	2. NO FEASIBLE ALTERNATIVE ANALYSIS: In accordance with USEPA draft guidance document, the permittee shall submit a No Feasible Alternative Analysis for the discharge from the ORF. The NFA shall also include a collection system model, using actual flow monitoring data, to present factors influencing ORF utilization and provide potential solutions to reduce and/or mitigate ORF usage. This report shall be prepared by a Professional Engineer currently licensed to practice in New York State. The Department reserves the right to modify this permit pending the results of this analysis.	12/01/2022
001, 002, & 003	3. WET WEATHER OPERATION PLAN (WWOP): The permittee shall develop and submit a Wet Weather Operating Plan (WWOP) for current operational conditions as described in Special Conditions for Operation of Overflow Retention Facility, Item (G) on Page 7 of this Permit. The permittee shall submit the plan, and updates detailing changes to the plan as appropriate, to the NYSDEC Regional Water Engineer at the address listed on Page 20 of this permit, and to the Bureau of Water Permits, 625 Broadway, Albany, NY 12233-3505.	06/01/2019
001	4. The permittee shall submit to the Department, by January 28th of each year, the results from the previous year of monthly ambient stream temperature monitoring. Data provided should include both the ambient upstream temperature (upstream of the WRRF discharge) and the downstream temperature. Any additional receiving water monitoring data for other pollutants can be provided, if available. Effluent WRRF temperature readings must also be provided for the day[s] of receiving water temperature readings.	January 28th Each Year

b) Unless noted otherwise, the above actions are one time requirements. The permittee shall submit the results of the above actions to the satisfaction of the Department. When this permit is administratively renewed by NYSDEC letter entitled "SPDES NOTICE/RENEWAL APPLICATION/PERMIT", the permittee is not required to repeat the above submittal(s), unless noted otherwise. The above due dates are independent from the effective date of the permit stated in the letter of "SPDES NOTICE/RENEWAL APPLICATION/PERMIT."

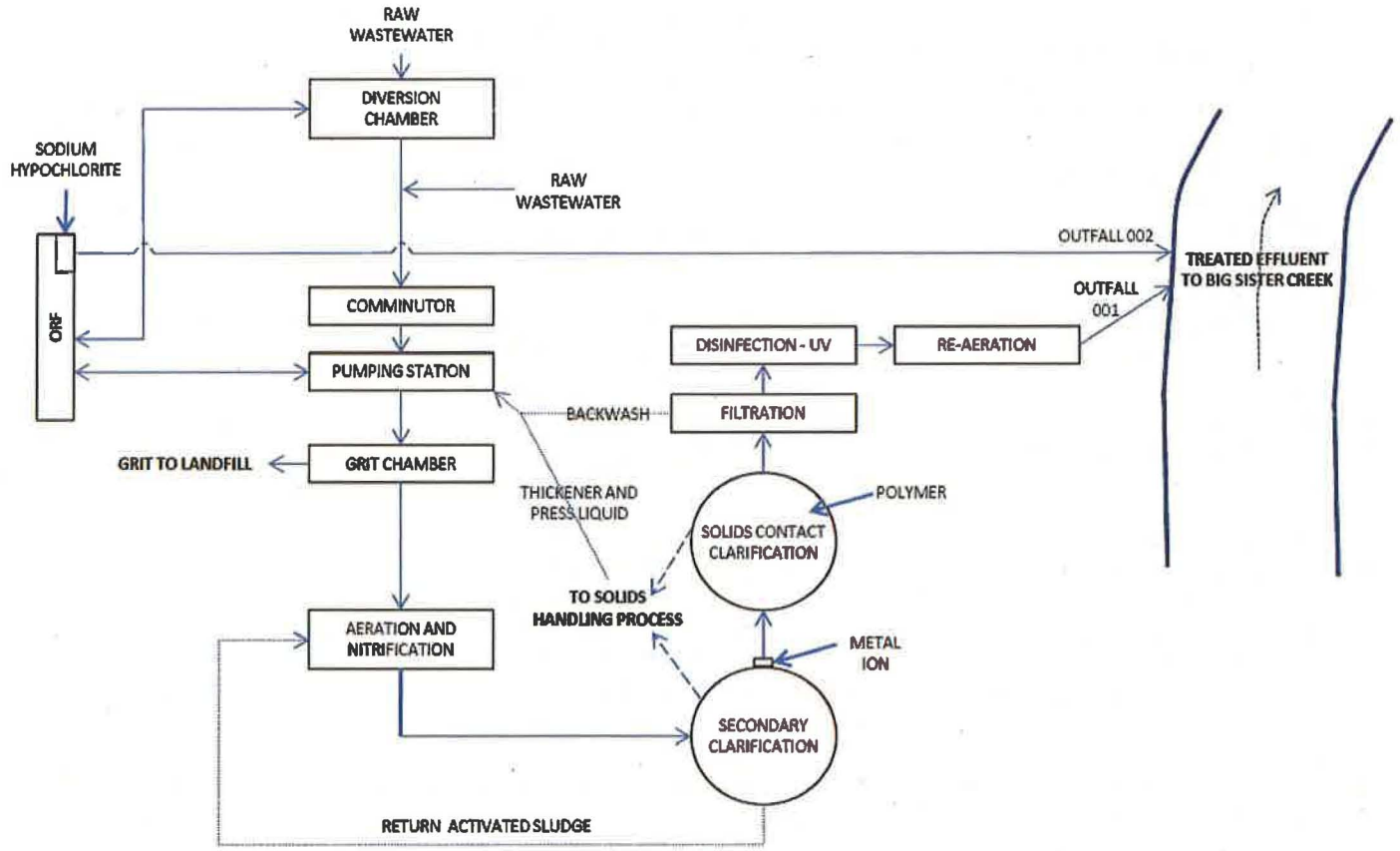
MONITORING LOCATIONS

The permittee shall take samples and measurements, to comply with the monitoring requirements specified in this permit, at the location(s) specified below:

001 – WRRF effluent after tertiary treatment and UV disinfection and reaeration.

002 – ORF effluent after settling and chlorination.

Locations provided on the image below are approximates.



GENERAL REQUIREMENTS

A. The regulations in 6 NYCRR Part 750 are hereby incorporated by reference and the conditions are enforceable requirements under this permit. The permittee shall comply with all requirements set forth in this permit and with all the applicable requirements of 6 NYCRR Part 750 incorporated into this permit by reference, including but not limited to the regulations in paragraphs B through I as follows:

B. General Conditions

1.	Duty to comply	6 NYCRR 750-2.1(e) & 2.4
2.	Duty to reapply	6 NYCRR 750-1.16(a)
3.	Need to halt or reduce activity not a defense	6 NYCRR 750-2.1(g)
4.	Duty to mitigate	6 NYCRR 750-2.7(f)
5.	Permit actions	6 NYCRR 750-1.1(c), 1.18, 1.20 & 2.1(h)
6.	Property rights	6 NYCRR 750-2.2(b)
7.	Duty to provide information	6 NYCRR 750-2.1(i)
8.	Inspection and entry	6 NYCRR 750-2.1(a) & 2.3

C. Operation and Maintenance

1.	Proper Operation & Maintenance	6 NYCRR 750-2.8
2.	Bypass	6 NYCRR 750-1.2(a)(17), 2.8(b) & 2.7
3.	Upset	6 NYCRR 750-1.2(a)(94) & 2.8(c)

D. Monitoring and Records

1.	Monitoring and records	6 NYCRR 750-2.5(a)(2), 2.5(a)(6), 2.5(c)(1), 2.5(c)(2), & 2.5(d)
2.	Signatory requirements	6 NYCRR 750-1.8 & 2.5(b)

E. Reporting Requirements

1.	Reporting requirements for POTWs	6 NYCRR 750-2.5, 2.7 & 1.17
2.	Anticipated noncompliance	6 NYCRR 750-2.7(a)
3.	Transfers	6 NYCRR 750-1.17
4.	Monitoring reports	6 NYCRR 750-2.5(e)
5.	Compliance schedules	6 NYCRR 750-1.14(d)
6.	24-hour reporting	6 NYCRR 750-2.7(c) & (d)
7.	Other noncompliance	6 NYCRR 750-2.7(e)
8.	Other information	6 NYCRR 750-2.1(f)
9.	Additional conditions applicable to a POTW	6 NYCRR 750-2.9

F. Planned Changes

1. The permittee shall give notice to the Department as soon as possible of planned physical alterations or additions to the permitted facility when:

   a. The alteration or addition to the permitted facility may meet any of the criteria for determining whether facility is a new source in 40 CFR §122.29(b); or
   b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject either to effluent limitations in the permit, or to notification requirements under 40 CFR §122.42(a)(1); or
   c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.

In addition to the Department, the permittee shall submit a copy of this notice to the United States Environmental Protection Agency at the following address: U.S. EPA Region 2, Clean Water Regulatory Branch, 290 Broadway, 24th Floor, New York, NY 10007-1866.

GENERAL REQUIREMENTS (continued)

2. Notification Requirement for POTWs
All POTWs shall provide adequate notice to the Department and the USEPA of the following:

   a. Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to section 301 or 306 of CWA if it were directly discharging those pollutants; or
   b. Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
   c. For the purposes of this paragraph, adequate notice shall include information on:
      i. the quality and quantity of effluent introduced into the POTW, and
      ii. any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

POTWs shall submit a copy of this notice to the United States Environmental Protection Agency, at the following address:
U.S. EPA Region 2, Clean Water Regulatory Branch, 290 Broadway, 24th Floor, New York, NY 10007-1866

G. Sludge Management
The permittee shall comply with all applicable requirements of 6 NYCRR Part 360.

H. SPDES Permit Program Fee
The permittee shall pay to the Department an annual SPDES permit program fee within 30 days of the date of the first invoice, unless otherwise directed by the Department, and shall comply with all applicable requirements of ECL 72-0602 and 6 NYCRR Parts 480, 481 and 485. Note that if there is inconsistency between the fees specified in ECL 72-0602 and 6 NYCRR Part 485, the ECL 72-0602 fees govern.

I. Water Treatment Chemicals (WTCs)
New or increased use and discharge of a WTC requires prior Department review and authorization. At a minimum, the permittee must notify the Department in writing of its intent to change WTC use by submitting a completed *WTC Notification Form* for each proposed WTC. The Department will review that submittal and determine if a SPDES permit modification is necessary or whether WTC review and authorization may proceed outside of the formal permit administrative process. The majority of WTC authorizations do not require SPDES permit modification. In any event, use and discharge of a WTC shall not proceed without prior authorization from the Department. Examples of WTCs include biocides, coagulants, conditioners, corrosion inhibitors, defoamers, deposit control agents, flocculants, scale inhibitors, sequestrants, and settling aids.

1. WTC use shall not exceed the rate explicitly authorized by this permit or otherwise authorized in writing by the Department.
2. The permittee shall maintain a logbook of all WTC use, noting for each WTC the date, time, exact location, and amount of each dosage, and, the name of the individual applying or measuring the chemical. The logbook must also document that adequate process controls are in place to ensure that excessive levels of WTCs are not used.
3. The permittee shall submit a completed WTC Annual Report Form each year that they use and discharge WTCs. This form shall be submitted in electronic format and attached to either the December DMR or the annual monitoring report required below. The *WTC Notification Form and WTC Annual Report Form* are available from the Department's website at: http://www.dec.ny.gov/permits/93245.html

RECORDING, REPORTING AND ADDITIONAL MONITORING REQUIREMENTS

A. The monitoring information required by this permit shall be retained for a period of at least five years from the date of the sampling for subsequent inspection by the Department or its designated agent.

B. The monitoring information required by this permit shall be summarized and reported by submitting:

1. Discharge Monitoring Reports (DMRs): Completed DMR forms shall be submitted for each one (1) month reporting period in accordance with the DMR Manual available on Department's website.

   DMRs must be submitted electronically using the electronic reporting tool (NetDMR) specified by NYSDEC. Instructions on the use of NetDMR are available in the DMR Manual. Attach the monthly "Wastewater Facility Operation Report" (form 92-15-7) and any required DMR attachments electronically to the DMR.

   To submit via hard copy: Hard copy paper DMRs will only be accepted by the Department if a waiver from the electronic submittal requirements has been granted by DEC to the facility. Attach a hard copy of the monthly "Wastewater Facility Operation Report" (form 92-15-7) to the DMR. The Facility Operation report and DMRs shall be sent to:

   Department of Environmental Conservation
   Division of Water, Bureau of Water Compliance
   625 Broadway, Albany, New York 12233-3506
   Phone: (518) 402-8177

   With a copy sent to:

   Department of Environmental Conservation
   Regional Water Engineer, Region 9
   270 Michigan Ave
   Buffalo, New York 14203
   Phone: (716) 851-7070

   The first monitoring period begins on the effective date of this permit, and, unless otherwise required, the reports are due no later than the 28th day of the month following the end of each monitoring period.

C. Bypass and Sewage Pollutant Right to Know Reporting: In accordance with the Sewage Pollutant Right to Know Act (ECL § 17-0826-a), Publicly Owned Treatment Works (POTWs) are required to notify DEC and Department of Health within two hours of discovery of an untreated or partially treated sewage discharge and to notify the public and adjoining municipalities within four hours of discovery. Information regarding reporting and other requirements of this program may be found on the Department's website. In addition, POTWs are required to provide a five-day incident report and supplemental information to the DEC in accordance with Part 750-2.7(d) by utilizing the Department's Non-Compliance Report Form unless waived by DEC on a case-by-case basis.

D. Monitoring and analysis shall be conducted using sufficiently sensitive test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.

E. More frequent monitoring of the discharge(s), monitoring point(s), or waters of the State than required by the permit, where analysis is performed by a certified laboratory or where such analysis is not required to be performed by a certified laboratory, shall be included in the calculations and recording of the data on the corresponding DMRs.

F. Calculations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.

G. Unless otherwise specified, all information recorded on the DMRs shall be based upon measurements and sampling carried out during the most recently completed reporting period.

H. Any laboratory test or sample analysis required by this permit for which the State Commissioner of Health issues certificates of approval pursuant to section 502 of the Public Health Law shall be conducted by a laboratory which has been issued a certificate of approval. Inquiries regarding laboratory certification should be directed to the New York State Department of Health, Environmental Laboratory Accreditation Program.